

Remarks

Applicants request a reconsideration of the present patent application in view of the following remarks. No claims have been amended, added or cancelled. Therefore, claims 13, 14 and 16-20 remain pending in the application.

Claims 13, 14, 17, 19 and 20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,741,834 to Godwin ("the Godwin reference") in view of U.S. Patent No. 5,797,087 to Lee ("the Lee-087 reference") and U.S. Patent No. 6,006,076 to Nakamura ("the Nakamura reference").

Independent claim 13 is directed to a method for providing a seamless transition between national broadcast information and local broadcast information for a receiver. The method comprises the steps of: determining if the receiver is set to a national information mode setting or a local information mode setting; upon determining when the national mode setting is detected, gathering location information of the receiver; downloading an available plurality of preferred local stations that correlate to the gathered location information; choosing a local station from the plurality of preferred local stations; determining the availability of the chosen local station and, if not available, searching for the chosen local station or for another available local station chosen from the plurality of preferred local stations; playing a national broadcast signal; monitoring for a time-slot interrupt or a signal interrupt; detecting the time-slot interrupt or the signal interrupt and interrupting the national broadcast signal; and initiating the playing of a local broadcast signal.

Applicants submit that the combination of the Godwin, Lee-087, and Nakamura references does not teach or suggest a method including the step of

determining the availability of the chosen local station and, if not available, searching for the chosen local station or for another available local station chosen from the plurality of preferred local stations as recited in claim 13. In rejecting claim 13, the Examiner acknowledged that the Godwin reference fails to disclose the above-referenced limitation. See *Office Action mailed April 30, 2008* ("Office Action"), pg.

3. In order to teach this particular limitation, the Nakamura reference was combined with the Godwin reference. See *Office Action*, pg. 4. In particular, the Examiner stated that column 4, lines 4-44 of the Nakamura reference discloses the above limitation. See *id.* Applicants submit that this portion of the Nakamura reference does not teach or suggest the above-referenced limitation.

In general, the portion of the Nakamura reference cited by the Examiner states that the receiving device (11), once turned on, starts searching a plurality of FM-broadcasting stations and determines whether each searched FM-broadcasting station can be received with an electric field strength higher than a specified level. See *Nakamura*, Col. 4, lines 7-13. If the electric field strength of the searched FM-broadcasting station is lower than the specified level, the receiving device (11) continues sequential scanning until it finds a FM-broadcasting station with an electric field strength higher than the specified level. See *id.* at lines 14-19. At the same time, the receiving device (11) categorizes the type of information that is received by the FM-broadcasting station as being traffic information, general information, or both, and also determines a correct reception ratio of the information that is received. See *id.* at lines 25-32. The receiving device (11) will continue scanning until all FM-

broadcasting stations are searched, and upon completion of scanning, the receiving device (11) transfers all data to a control processing device. See *id.* at lines 37-44.

As set forth in the Amendment and Response to Final Office Action mailed on July 16, 2007 ("previous response"), the meaning of "determining" as used in claim 13 is the process of verifying that the chosen local station has been successfully tuned by the receiver through the local analog antenna thus ensuring that there is a local broadcast available to be transitioned to upon a triggering event. See *Specification*, ¶ [0029]. If the verification is successful, then no further searching is commenced. On the other hand, if the chosen local station has not been successfully tuned, further steps are initiated. The further steps that take place in claim 13 is the process of attempting to tune to the chosen local station and, if not successful, attempting to successfully tune to another local station from the available plurality of preferred local stations. See *Specification*, ¶ [0029].

Based on the above meaning of the term "determining" in claim 13, the Nakamura reference does not disclose the process of verifying that a chosen local station has been successfully tuned by the receiver as in claim 13. As stated above with respect to the Nakamura reference, the receiving device (11) operates to search a plurality of FM-broadcasting stations, determine whether each searched FM-broadcasting station can be received with an electric field strength higher than a specified level, categorize the type of information that is received by the FM-broadcasting station (i.e., traffic information, general information, or both), and determine a correct reception ratio of the information that is received. See *Nakamura*, Col. 4, lines 4-44. However, the Nakamura reference does not indicate

or otherwise suggest that the process includes verifying that any of the searched FM-broadcasting stations can be successfully tuned by the receiver. Just because a searched FM-broadcasting station has an electric field strength above a specified level does not necessarily mean that the specified station has been successfully tuned by the receiver. It is possible that a FM-broadcasting station has an electric field strength above a specified level but still fail to be tuned by the tuner.

In addition, the Nakamura reference does not disclose that, after determining that a chosen local station is unavailable, thereafter conducting another search for the chosen local station by attempting to tune in the chosen station as in claim 13. In the Nakamura reference, after the receiving device (11) evaluates whether a specific FM-broadcasting station has an electric field strength higher than a certain specified level, the Nakamura reference does not disclose that another search is done for that particular FM-broadcasting station. The Nakamura reference specifically states that the receiving device (11) scans until all of the FM-broadcasting stations have been searched. See *Nakamura*, Col. 4, lines 37-39. This implies that each FM-broadcasting station is only searched once. As such, the Nakamura reference does not teach or suggest that another search for the chosen local station is made after determining that the chosen local station is unavailable as in claim 13.

Moreover, the Nakamura reference does not disclose that, after determining that a chosen local station is unavailable because it cannot be successfully tuned by the receiver, attempting to successfully tune to another local station from the available plurality of preferred local stations as in claim 13. Again, the receiving

device (11) in the Nakamura reference operates to scan through all of the FM-broadcasting stations to determine if they exceed a specified electrical field strength, categorize the FM-broadcasting stations, and determine a correct reception ratio. Nothing in the portion of the Nakamura reference cited by the Examiner relates to attempting to successfully tune to another local station from the available plurality of preferred local stations after determining that a chosen local station is unavailable.

For at least the foregoing reasons, Applicants submit that the combination of the Godwin, Lee-087, and Nakamura references does not teach or suggest all of the limitations included in claim 13. Applicants therefore request that the rejection of claim 13 be withdrawn. As claims 14, 17, 19 and 20 depend from claim 13, these claims are not taught or suggested by the references of record for at least the same reasons that were set forth with respect to claim 13. It is requested that the rejection of claims 14, 17, 19 and 20 be withdrawn.

Claims 14 and 20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Godwin reference in view of the Lee-087 reference and the Nakamura reference, and in further view of U.S. Patent Publication No. 2004/0198389 to Alcock et al. ("the Alcock reference").

As stated above with respect to claim 13, the combination of references does not teach or suggest a method including determining the availability of the chosen local station and, if not available, searching for the chosen local station or for another available local station chosen from the plurality of preferred local stations as recited in claim 13. As claims 14 and 20 depend from claim 13, these claims are not taught or suggested by the references of record for at least the same reasons that

were set forth with respect to claim 13. The Alcock reference also fails to teach or suggest the limitation that was lacking in the Godwin, Lee-087, and Nakamura references. Applicants therefore request that the rejection of claims 14 and 20 be withdrawn.

Claim 16 has been rejected under 35 U.S.C § 103(a) as being unpatentable over the Godwin reference in view of the Lee-087 reference and the Nakamura reference as applied to Claim 13, and in further view of U.S. Patent No. 6,829,475 to Lee et al. ("the Lee-475 reference").

As stated above with respect to claim 13, the combination of references does not teach or suggest a method including determining the availability of the chosen local station and, if not available, searching for the chosen local station or for another available local station chosen from the plurality of preferred local stations as recited in claim 13. As claim 16 depends from claim 13, this claim is not taught or suggested by the references of record for at least the same reasons that were set forth with respect to claim 13. The Lee-475 reference also does not teach or suggest the limitation that was lacking in the Godwin, Lee-087, and Nakamura references. Applicants therefore request that the rejection of claim 16 be withdrawn.

Claim 18 has been rejected under 35 U.S.C § 103(a) as being unpatentable over the Godwin reference in view of the Lee-087 reference and the Nakamura reference as applied to Claim 13, and in further view of U.S. Patent Publication No. 2004/0192189 to Yuhara et al. ("the Yuhara reference").

As stated above with respect to claim 13, the combination of references does not teach or suggest a method including determining the availability of the chosen

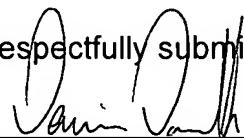
local station and, if not available, searching for the chosen local station or for another available local station chosen from the plurality of preferred local stations as recited in claim 13. As claim 18 depends from claim 13, this claim is not taught or suggested by the references of record for at least the same reasons that were set forth with respect to claim 13. The Yuhara reference also fails to teach or suggest the limitation that was lacking in the Godwin, Lee-087, and Nakamura references. Applicants therefore request that the rejection of claim 18 be withdrawn.

Conclusion

In light of the foregoing, Applicants submit that claims 13, 14 and 16-20 are in condition for allowance and such allowance is respectfully requested. Should the Examiner feel that any unresolved issues remain in this case, the undersigned may be contacted at the telephone number listed below to arrange for an issue resolving conference.

Applicants do not believe that any fee is due at this time. However, the Commissioner is hereby authorized to charge any fee that may have been overlooked to Deposit Account No. 10-0223.

Respectfully submitted,



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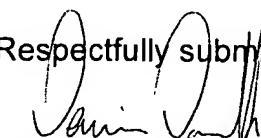
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